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ORACLE AMERICA, INC.

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.

Plaintiff,

25 v.

26 GOOGLE INC.

27 Defendant.

Case No. CV 10-03561 WHA

**DECLARATION OF ANDREW
TEMKIN IN SUPPORT OF ORACLE'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL**

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

1 I, Andrew Temkin, declare and state as follows:

2 1. I am an attorney employed by Oracle America, Inc. ("Oracle"). My current title is
3 Senior Corporate Counsel. One of my responsibilities is supervising Oracle's outside counsel
4 with respect to litigation matters, including Oracle's lawsuit against Google. I am familiar with
5 Oracle's policies and business practices, including what information Oracle considers confidential
6 and does not disclose to the public.

7 2. I submit this declaration in support of Oracle's Administrative Motion to File
8 Under Seal. I have personal knowledge of the facts set forth herein, and if called upon as a
9 witness, I could testify to them competently under oath.

10 3. Oracle's Java licensing negotiations and internal discussions regarding those
11 negotiations are confidential. Java licensing negotiations are commonly entered into only after
12 non-disclosure agreements have been signed and the commercial licenses themselves typically
13 contain confidentiality requirements. Oracle does not generally disclose information contained in
14 the negotiations or internal discussions regarding these negotiations to the public. Disclosure to
15 the public and to Oracle's competitors could harm Oracle (and possibly also third parties). Harm
16 to Oracle could include, among other things, an adverse impact on Oracle's ability to negotiate.

17
18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct to the best of my knowledge.

20 Executed this 1st day of February, 2016, at Redwood Shores, CA.

21
22 

23 Andrew Temkin